



CrI.O.P.(MD) No.1700 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.1700 of 2024

Vanjinathan

...Petitioner/Accused No.2

VS

1. The Deputy Superintendent of Police,
Bodinayakkanur Sub-Division,
Theni District.

2. The Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.

In (Crime No.27 of 2024)

..Respondents 1 & 2/Complainants

3. Eswaran

... 3rd Respondent/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to please to pass an order permitting the petitioner to surrender before the Special Court for SC/ST (POA) Act, Theni in connection with Crime No.27 of 2024 on the file of the 2nd Respondent Police and file an application for the grant of bail on the same day and in the event of filing the same, the said application may be directed to be considered on the same day on merits and in accordance with law forthwith.

For Petitioner : Mr.K.Prakash

For R1 & R2 : Mr.M.Veerenthiran

Additional Public Prosecutor



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ORDER

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The learned counsel for the Petitioner would submit that the Petitioner is arrayed as the 2nd accused in Crime No.27 of 2024 on the file of the 2nd Respondent. The learned counsel for the Petitioner would further submit that this petition is filed seeking a direction to the Special Court for SC/ST (POA) Act, Theni, to accept the Petitioner's bail application and to consider the same on the same day of surrender in Crime No.27 of 2024 on the file of the 2nd Respondent.

2.When the case came up for hearing, the learned Government Advocate (Crl.side) submits that when the defacto complainant/the 3rd Respondent attended a funeral, the Petitioner is alleged to have hit him with chaapal on face and back. He had suffered injuries and was treated as out-patient. The learned Government Advocate (Crl.side) would also submit that as far as the 1st accused is concerned, he has two previous cases and as far as the petitioner/2nd accused is concerned, he has no previous case.

3.Considering the submissions made by the learned Government



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Advocate (Crl.side), this Criminal Original Petition is disposed of with the following conditions:-

i) The Petitioner is directed to surrender before the Special Court for SC/ST (POA) Act, Theni, within 15 days from the date of receipt of a copy of this order or from the date of uploading the copy of this order in the official web-site of this Court.

ii) On such surrender by the Petitioner, the Special Court for SC/ST (POA) Act, Theni, shall consider the bail application of the Petitioner and dispose of the same as per the provisions of SC/ST (Prevention of Atrocities) Act, 1989, after issuing notice and hearing the objections of the victim of the crime/defacto complainant.

Internet: Yes./No
Index: Yes/No
CM

05.02.2024

To

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Theni District.
2. The Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.
In (Crime No.27 of 2024)
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

CM

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